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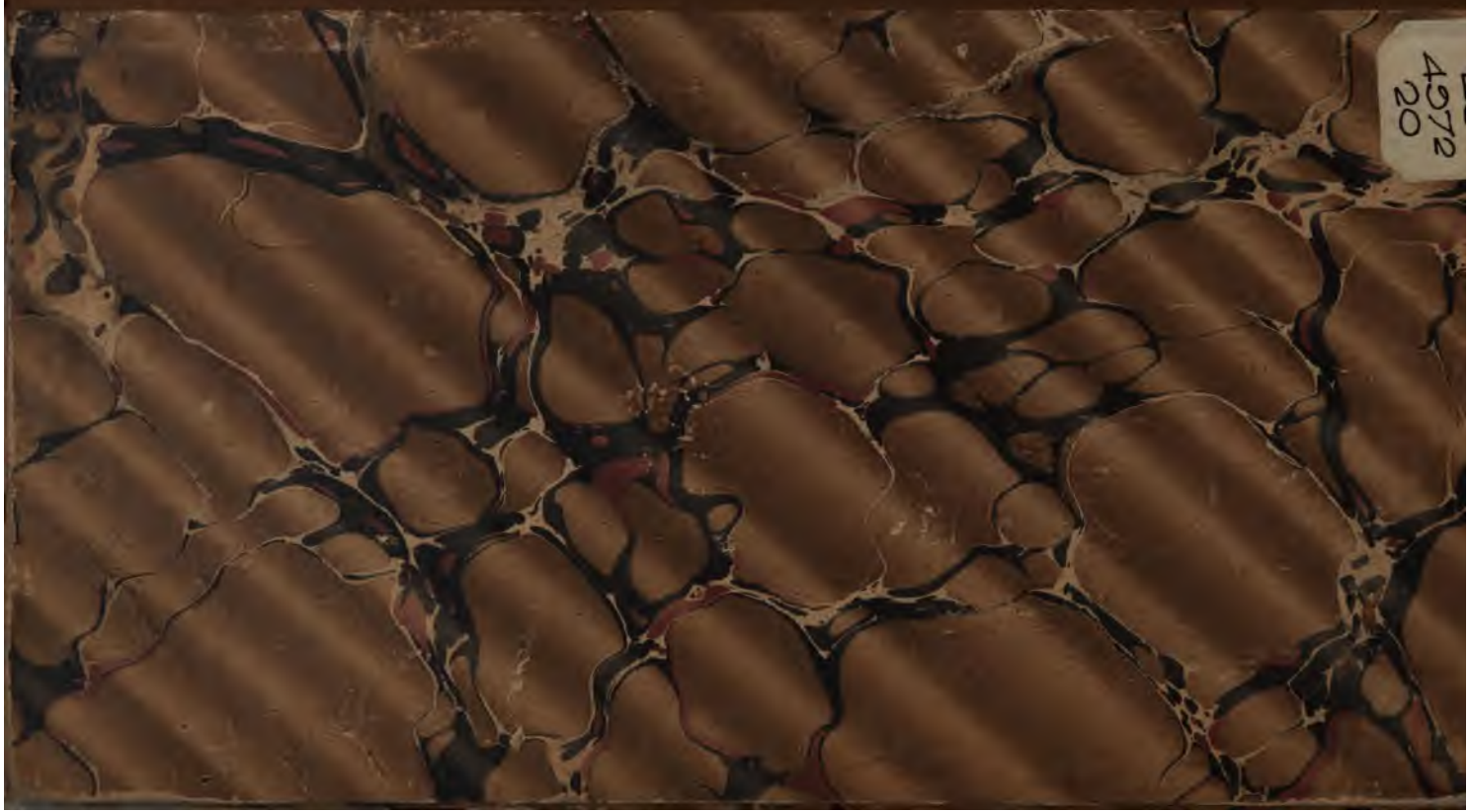
Heironimus - Missouri Compromise



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FROM

Mrs Edward Channing

MISSOURI COMPROMISE.

N. C. HEIRONIMUS.

Price, 10 Cents.

THE

MISSOURI COMPROMISE.

AN HISTORICAL STUDY

FOR EIGHTH GRADE PUPILS.

BY

N. C. HEIRONIMUS.

RICHMOND, IND.:
M. CULLATON & CO., PRINTERS.
1898.

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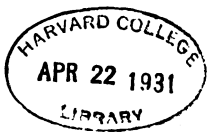

Mrs. Edward Channing

INTRODUCTORY NOTE.

A word of explanation as to the purpose of this brief paper on the "Missouri Compromise" may be necessary. It is not claimed that it throws any new light upon that much argued question; it was written almost wholly from secondary sources. Nor is it supposed that this and similar papers on other topics could replace the usual text-book in history. It was written "to fill a long felt want," not in schools generally, but in the writer's own class-room. An attempt to lead eighth grade pupils into a more detailed study of some important topics than is possible with the ordinary text-book, revealed the fact that there is but little material available for such work. Anything more pretentious than the school text seems to be adapted in language and thought only to mature students. This paper was designed to furnish material for the writer's classes in their work on this topic.

To explain more definitely the use made of this and similar papers, it is necessary to briefly outline the entire plan of history work. After the study of some definite period in the text-book, the work is reviewed by studying series of related topics. Thus the period of the Revolution is reviewed by a study

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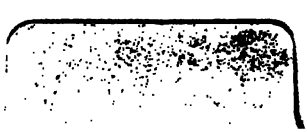

THE MISSOURI COMPROMISE.

INTRODUCTION.

As a preparation for a study of the Missouri Compromise, a short review of the condition of our country at the time of that famous struggle may not be amiss. The growth in different lines between 1776 and 1820 had been most marked. At the close of the Revolution our treaty with England gave us an area of 827,844 square miles, bounded on the north by Canada and the Great Lakes, on the west by the Mississippi, on the south by the Spanish provinces of Florida and West Florida, and on the east by the Atlantic; by 1820 we had increased this area to 1,811,281 square miles, with Canada and the Great Lakes on the north, Mexico and the Rockies on the west, Mexico and the Gulf on the south, and the Atlantic on the east. Florida was not actually in our possession, but the treaty of purchase was awaiting ratification by the Spanish government and there was no doubt but that the formal transfer would be made. In addition to this extended territory the work of the explorers, Gray, Lewis and Clark, and the settlement of Astoria by the Pacific Fur Company, had given us good grounds for claiming the rich region known as the Oregon Country.

According to the census of 1790 the United States had 3,929,214 inhabitants; the census of 1820 showed this number to have increased to 9,633,822. The increase in wealth had probably been more rapid than the increase in numbers. Thirteen states had declared their independence in 1776; on January 1, 1820, the stars of our flag numbered twenty-two.

But signs were not wanting of trouble ahead. Instead of being more alike in its different parts, the country had come to contain two widely dissimilar sections, a North and a South. The cause of this unfortunate division was to be found in slavery.

Both the Articles of Confederation and the Constitution left it to the people of each of the states composing the Union to decide for themselves whether the state should be slave or free. Seven of the original states had freed their slaves before 1820; these were Massachusetts, Pennsylvania, New Hampshire, Connecticut, Rhode Island, New York and New Jersey. To these seven had been added the new states of Vermont, Ohio, Indiana and Illinois, making in all eleven free states. The land now comprising the states of Michigan, Wisconsin and eastern Minnesota was free territory by the Ordinance of 1787, and was evidently destined to become free states. The six states of Maryland, Delaware, Virginia, North Carolina, South Carolina and Georgia retained their slaves, and to these had been added

five new slave states, Kentucky, Tennessee, Louisiana, Mississippi and Alabama, again eleven in all. It was well understood that Florida was to form a slave territory as soon as she came into our possession. When Louisiana was purchased, in 1803, slavery was legal in the whole of it, and up to this time the law in this regard had not been changed. But the people of the free section by no means thought all this was to continue slave territory; they intended that when organized into states and territories a fair share, at least, should be secured for freedom.

At the time of the adoption of the Constitution the two sections of the country were nearly equal in wealth and population. In 1790 the North had a population of 1,968,455, the South 1,961,372; but in 1820 the population of the North had increased to 5,152,372, while the South lagged behind at 4,485,819. The equal number of states gave the sections equal power in the Senate; but in the House of Representatives, whose members are apportioned to population, the North could count 123 votes to 90 of the South. In wealth and general progress the North was also much in advance of the South.

But the most dangerous feature of the situation was the different standards of life in the two sections, the different ideas of the people. The North, with free labor, had not only grown wealthy, but

had given to all classes the opportunity for improvement. There was a great variety of industries, labor was respected, and the laborer might hope to better his condition, and even to become an employer. The South, burdened with slavery, had fallen behind, and had shut the door of hope not only to her slaves, but also to her poor whites. The fact that slaves did most of the work made labor despised, and barred the way to social standing for those who must toil. Farming, the chief industry, was carried on under the plantation system, and offered little chance to the man of small means.

Before going farther it may be well to briefly recall some movements to regulate slavery between 1776 and 1820. As stated, all the states held slaves at the declaration of independence. The Revolution had scarcely closed, however, when an organized attack was begun on the institution. Anti-slavery societies were formed in the northern states with the avowed purpose of waging war on the curse. But the time was not yet come for freedom to triumph, and, after emancipation was secured in the states mentioned above, these early efforts seem to have lost their impetus in the face of the increased demand for slave labor due to the invention of the cotton-gin in 1793.

The year of Whitney's invention saw the first action by Congress to carry out the provision in the Constitution that fugitive slaves should be returned

to their masters. A comparatively mild fugitive slave law was passed in that year.

Congress took advantage of the earliest moment allowed by the Constitution to forbid the importation of slaves. A law was passed in 1807 decreeing that the traffic should cease on January 1, 1808. This trade was so profitable, however, that large numbers of unfortunate Africans were smuggled into the country year after year, until in 1820 Congress declared such trade to be piracy, and that all persons found guilty of participating in it should be punished by death. Even this was not enough to wholly stop it.

On January 1, 1817, an organization was formed under the title, "American Colonization Society." Its purpose was to encourage free negroes to settle on the western coast of Africa. It was hoped that to thus dispose of this element of our population would lead to voluntary emancipation by slave holders, and thus finally free our country of slavery. Many southern men gave aid because they thought the presence of free negroes in this country tended to make their slaves dissatisfied. The aim of the society was never realized. A small colony which afterward became the Republic of Liberia was planted, but few of the colored men were willing to emigrate, and instead of becoming more frequent, emancipation became more rare.

Just as the era of good feeling was beginning the

country was unconsciously approaching a long and bitter struggle, a struggle that was to end only with the extinction of the dread evil of slavery. The North believed that its prosperity was due to its free labor, and was sure to resist any attempt to spread the system of slavery; the South was as firmly convinced that its welfare demanded the extension of the system, and was equally sure to seize the first opportunity to secure it and thus increase its power. The occasion of the first combat of the long struggle came in the application of Missouri for admission into the Union as a slave state.

THE COMPROMISE.

On December 18, 1818, a petition was presented to Congress from the territorial legislature of Missouri asking permission to form a State Constitution and enter the Union; nothing was said about slavery, but since slaves were held in all parts of the territory, it was well understood that it was to be a slave state. A bill was introduced in the House of Representatives giving the desired permission, but James Tallmadge, of New York, proposed as an amendment, "that the further introduction of slavery or involuntary servitude be prohibited, * * * * and that all children of slaves born within the said state after the admission thereof into the Union shall be free." The bill with this amendment was

passed by the House, but the Senate refused to agree to the amendment and the bill was lost.

In December, 1819, the people of Maine, having gained the consent of Massachusetts to separate from that state, and having their constitution as a free state already formed, petitioned Congress for admittance into the Union. A bill to admit Maine was promptly passed in the House, but the Senate put an amendment to the Maine bill to enable the people of Missouri to form a constitution without restriction in regard to slavery. The House refused to agree to this amendment, insisting on separate bills for the two states and restriction on slavery in Missouri.

For a time it seemed as if both states would be kept out, but after a heated discussion a compromise, consisting of two bills, was agreed upon. The first bill provided for the immediate admission of Maine — her constitution being already formed — and became a law on March 3, 1820; the second gave Missouri permission to form a State Constitution without restriction in regard to slavery, and further provided that all that portion of the Louisiana purchase lying north of latitude 36° 30′, except the state of Missouri, should be forever free. The second bill became a law March 6, 1820. The two bills formed the compromise, but the second part of the second bill was the most famous provision, and is commonly regarded as being the entire Missouri Compromise.

But the trouble was not yet ended. Missouri had been angered by the long delay imposed upon her, and when her constitution was formed, it contained a clause providing that free colored persons should not be allowed to settle in the state. A resolution declaring Missouri a state had yet to be passed by Congress before her admission was complete. When the clause in Missouri's Constitution just mentioned was brought to the notice of Congress, many of the members at once declared that it was contrary to the United States Constitution. They held that it conflicted with the clause which reads, "The citizens of each state shall be entitled to all privileges and immunities of citizens in the several states." In many of the northern states free colored persons had been made citizens. Another heated discussion took place, and it seemed that Missouri was still to be denied a place among the sisterhood of states. Finally Henry Clay proposed that the legislature of Missouri should solemnly promise never to pass any law to enforce this objectionable clause, and that the President should thereupon declare Missouri a state. This plan was agreed upon by Congress February 28, 1821; and the legislature of Missouri having assented, President Monroe declared Missouri a state of the Union on August 10th of that year.

DEBATE ON THE COMPROMISE.

The struggle in Congress over the Missouri question gave rise to a debate of a fierceness hitherto unknown. The dangerous nature of the question at issue seems to have been realized; Mr. Cobb, of Georgia, declared: "You are kindling a fire which all the waters of the ocean cannot extinguish; it can be extinguished only in blood." Mr. Tallmadge answered the southern threats as follows:

"Has it already come to this: That in the Congress of the United States, that in the legislative councils of the American Republic, the subject of slavery has become the subject of so much feeling, of such a delicacy, of such danger, that it cannot safely be discussed? * * * * * Are we to be told of the dissolution of the Union, of civil war, and of seas of blood? And yet, with such awful threatenings before us do gentlemen in the same breath insist upon the encouragement of this evil, upon the extension of this monstrous scourge of the human race? An evil so fraught with such dire calamities to us as individuals and to our nation, and threatening in its progress to overwhelm the civil and religious institutions of the country, with the liberties of the nation, ought at once to be met and to be controlled. If its power, its influence, and its impending dangers have already arrived at such a point that it is not safe to discuss it upon this floor, and it cannot be considered as a proper subject for general legislation, what will be the result when it is spread through your widely extended domain? Its present threatening aspect, and the violence of its supporters, so far from inducing me

to yield to its progress, prompt me to resist its march. *Now is the time.* It must *now* be met, and the extension of the evil must *now* be prevented, or the occasion is irrevocably lost and the evil can never be controlled."

The champions on either side made strong efforts to overturn the arguments of their opponents and secure for their own section an advantageous settlement; for the division on the question was very nearly sectional. Some northern men felt obliged to side with the men of the south on points of constitutionality, but in regard to the main issue — the desirability of extending or restricting slavery — the division followed sectional lines very closely; the southern men stood almost unanimously for the policy of extension, while their northern brethren were convinced that restriction was best. Clay, of Kentucky, Scott, the delegate from Missouri, McLane, of Delaware, and Pinkney, of Maryland, led the forces of the South, receiving powerful aid on the point of constitutionality from Holmes, of Massachusetts, and other northern men. The northern leaders were Tallmadge, Taylor and King, of New York, and Fuller, of Massachusetts.

Before going into a discussion of the arguments advanced on either side, we must observe that there were two entirely distinct phases of the question of restriction involved. The first was, can and should slavery be restricted in Missouri — a state entering the Union? The second was the same point in regard

to the remainder of the Louisiana purchase — land continuing under the territorial form of government.

The arguments fall under three distinct heads: (1) Constitutionality; that is, did the Constitution give Congress the power to make and enforce the proposed restriction? (2) Obligations of the treaty of 1803; that is, would the proposed restriction be a violation of our agreement made with France when we purchased Louisiana? (3) Expediency or policy; that is, would it be for the best interests of the country to make the restriction?

The southern men asserted that the Constitution gave Congress no power to make a bargain with a state entering the Union, and it could not compel Missouri to carry out the conditions proposed in the Tallmadge amendment, even if she should agree to them. They based their argument on the clause in the Constitution which reads, "New states may be admitted by the Congress into this Union." They held that the term "state" must be understood to mean such political organization as the original thirteen states were; that if any other meaning had been intended, the framers of the Constitution would have given some explanation. No one denied but that the original states had been left to decide the slavery question, each one for itself; new states must have the same power, or they would not be states in the sense intended by the Constitution at all. Again, the words are, "into this Union." This

Union was made up of states of equal power, each being left to decide for itself whether it would be slave or free; to admit Missouri on condition that she would give up slavery would destroy the nature of the Union, since it would no longer be made up of states of equal powers — it would no longer be "this Union."

In reply to the argument that the states of Kentucky, Ohio, Louisiana, Indiana and Illinois had been obliged to submit to conditions on entering the Union, the anti-restrictionists affirmed that none of the conditions were binding except those imposed by the Constitution on all states alike. Thus Ohio, Indiana and Illinois might at any time become slave states, if they chose, in spite of the fact that they had agreed, when entering the Union, to abide by the Ordinance of 1787.

This argument on the unconstitutionality of restriction was applied only to the question of restriction in Missouri; no one seemed to doubt the power of Congress to make laws concerning slavery in the territories.

Next the opponents of restriction quoted Article III. of our treaty with France in 1803, which reads as follows:

"The inhabitants of the ceded territory shall be incorporated in the Union of the United States, and admitted as soon as possible, according to the principles of the Federal Constitution, to the enjoyment of all the rights, advantages and immunities of citizens of the United States; and in the

meantime they shall be maintained and protected in the free enjoyment of their liberty, property, and the religion which they profess."

It was urged that to fulfill this promise we must admit Missouri and let her decide for herself concerning slavery, since this was a privilege belonging to citizens of other states. Furthermore, since we had promised to maintain the people of the Louisiana territory in the enjoyment of their property, it would be perfidy to deprive them of their slaves, slaves being held by them at the time of the purchase; this would apply to both Missouri and the territory remaining under territorial government.

Finally there came the argument as to expediency. No one seems to have ventured to defend the justice or morality of slavery itself; indeed, most of the arguments of the southern men acknowledge the fact that slavery was an evil. But a very ingenious plea was set up that to extend slavery would be a humane act; it would make the lot of the slave less hard. The number of slaves would remain the same in either case, since no more could be imported, and to open new states and territories to the slave owners would make it possible for them to better their condition in life, and that would naturally assure their slaves more comforts. This was strongly urged by Mr. Clay, and from his writings Mr. Jefferson seems to have held the same opinion.

The speakers in favor of restriction met the argu-

ments of the anti-restrictionists point by point. In regard to the constitutionality of restricting slavery in a state entering the Union, they referred to the same clause of the Constitution as was relied upon by their opponents, namely, "New states may be admitted by the Congress into this Union." But they emphasized the word "may," and affirmed that this gave Congress its choice to admit or not admit, and that therefore Congress might determine on what terms it would admit. They asserted that this power of Congress to put conditions on the admission of a state had always been recognized; Kentucky, Ohio, Louisiana, Indiana and Illinois had all been obliged to submit to conditions, and no one had then opposed them on the plea of unconstitutionality. More than that, the Missouri Bill contained other restrictions than the one upon slavery— as, a provision that the lands of soldiers should not be taxed for five years—and the very members who were now protesting that restriction was unconstitutional had voted for them. It seemed that restriction was unconstitutional only when it was proposed to restrict something demanded by the slave power.

Fairness compels us to say that the constitutional argument of the southern men was not well answered. As Dr. Von Holst says, "From the nature of the Union, then, an argument was drawn which the reasons advanced in behalf of limitation shook, but could not overthrow."

We have already said that there was no discussion as to the constitutional power of Congress over slavery in territories.

Then came the discussion as to the treaty of 1803. The restrictionists held that the promise to admit the territory into the Union could only be held to put it on an equality with our other territory, so far as admission was concerned; and, as they claimed, the power of Congress to put restrictions on states formed from the original area had already been proved. Indeed, practically this same restriction had been put on Ohio, Indiana and Illinois. The promise to protect the inhabitants of Louisiana in their property could not be held to mean that we were to maintain them in their right to hold slaves, for the treaty was made under international law, and according to international law slaves were not property at all. Even if it should be conceded that slaves held at the time of the treaty were to remain in that condition, it by no means followed that we had promised to compel future generations of negroes to be slaves; and the restriction under discussion merely proposed to free those born after the admission of the state.

It was against the expediency of permitting slavery to extend that the restrictionists made their strongest argument. They spoke at length upon the horrors of slavery; how it degraded both slave and master. They denied that to extend the slave area

would lessen the evil of slavery. They asserted that so long as more slaves were needed more would be imported, law or no law; and to admit a new slave state was to open a new market for slaves. Even the removal of the slaves from the old slave states to the new would inflict great suffering. For the practice of buying slaves had no respect for families; husband and wife would be separated, children torn from their parents, and every tie of love and friendship broken. Even from an economic or business point of view it would be bad policy to permit the extension of slavery. Under free labor the northern states had far outstripped the slave states. To permit slavery to continue in Missouri would be to check her progress and cripple her business life.

EXCITEMENT AMONG THE PEOPLE.

We must not get the idea that the excitement over the Missouri question was confined to the halls of Congress; it spread over the whole nation, and the people everywhere were discussing it, although the greatest excitement was to be found in the North. Dr. Woodburn says:

"The fact that the Fifteenth Congress left Missouri without authority to organize as a state, was the occasion of great excitement among the people of that territory, and from the adjournment of the Fifteenth Congress to the assembling of the Sixteenth, the whole Union was agitated.

The legislatures of the states passed resolutions in favor of and against restriction, according to their respective sections, sending copies of these to one another and to the General Government; popular assemblies in all parts of country debated the question, adopted resolutions, petitioned Congress, and appealed to the public sentiment of the country in whatever demonstration they could use for their cause; the press kept up a continual agitation and a multitude of pamphleteers entered the field, adding to the momentum and excitement of the great national argument."

Mr. McMaster says:

"The moment the Missouri struggle brought up the question of the further extension of slavery the North was violently excited. The moral iniquity of such an act, the political wrong of such an act, became proper themes for sermons, for Fourth-of-July toasts, and for pamphlets without number."

As stated in the quotation from Dr. Woodburn, the newspapers of the day gave the question a great deal of space. Their columns are said to have bristled with references to the great struggle. If we may judge from the following quotation from the St. Louis *Enquirer*, of December, 1819, we are forced to the conclusion that the southern people had no serious doubts of winning the victory as far as Missouri was concerned:

"Notwithstanding the great number of persons who are held in check by the agitation of the slave question in Congress, the emigration to Missouri is astonishingly great. Probably, from thirty to fifty wagons daily cross the Mississippi at the different ferries, and bring in an average of

four to five hundred souls a day. The emigrants are principally from Kentucky, Tennessee, Virginia, and the States further south. *They bring great numbers of slaves, knowing that Congress has no power to impose the agitated restriction, and that the people of Missouri will never adopt it.*"

In a very able and temperate article in his paper, *Niles' Register*, Mr. Niles shows the economic failure of slavery by a comparison of the growth of wealth in Pennsylvania and Virginia. After proving that at the close of the Revolution Virginia was considered a wealthier State than Pennsylvania, he goes on to say:

"But the valuations in 1815 * * * * exhibited these results:

Pennsylvania	346,633,889
Virginia	263,584,600

"But this very imperfectly shows the real state of the case. Her slaves came into the valuation of Virginia, say only 400,000. I cannot find at what rate they were appraised, but should suppose at not less than $200 each, amounting to eighty millions. Then, the valuations of the *lands and improvements* of the two States were about thus:

Pennsylvania		$346,633,889
Virginia	$263,584,600	
Deduct the slaves.	80,000,000	183,584,600
Difference		$163,049,289

"Again, Pennsylvania contains only 44,000 square miles, but Virginia has 70,000 — and the latter must have much more good land than the former. Whence comes this mighty disparity? It is because the soil of one is cultivated by freemen and that of the other by slaves."

One of the ablest pamphlets published on the Missouri question was written by Mr. Robert Walsh, of Philadelphia. In reviewing this essay Mr. Niles says:

"It is a history of the *feelings* and proceedings of the old Congress, of the convention that adopted our present Constitution, and of the state conventions which ratified it, so far as those feelings or proceedings were interested by the condition of our black population, or the admission of new states into the Union. It proves the original design, that slavery should be tolerated only in the states '*then* existing'—shows that Virginia, and the other states, clearly understood this to be the meaning of the powers delegated to Congress—and, in evidence of such an interpretation being a just one, the author quotes the agreements of North Carolina and Georgia for a surrender of their western territories, in which what was considered as a *fundamental* article in respect to the admission of new states—the prohibition of slavery, was expressly guarded against by those states; demonstrating, as we firmly believe the fact to be, that the right and power of Congress to keep the new states free from an *acknowledged evil*, was not denied, or doubted, until just now; but on the contrary, admitted or acquiesced in in every case."

Various organized bodies interested themselves and attempted to influence the action of the government. An address was sent to Congress from a Baptist Association at Mount Zion, Missouri, from which the following is copied:

"Viewing the Constitution of the United States as the result of the united experience of statesmen and patriots of the Revolution, and as the sacred palladium of our relig-

ious as well as civil liberty, we cannot, without the most awful apprehensions, look on any attempt to violate its provisions, and believing that the vote of a majority of the last Congress, restricting the good people of this territory in the formation of their constituion for a state government, to be in direct opposition thereto, we would enter our most solemn protest against the principles endeavored to be supported thereby.

* * * * * *

"The time has arrived when it is possible to admit us into the Union — we have all the means necessary for a state government. And believing that the question of slavery is one which belongs exclusively to the state to decide on, we, on behalf of ourselves, our fellow citizens, and of the most solemn faith of the nation, claim admission into the Union on the principles of the *Federal Constitution* — on an equal footing with the other states."

The "American Convention for promoting the abolition of slavery" met at Philadelphia, October 5, 1819; among other things a committee on the Missouri question reported:

"The committee are deeply impressed with the importance of the subject submitted to their consideration. A question, arising under the Constitution of the United States, the great charter of our liberties, involving the respective powers and rights of the Federal and State governments; a question upon the issue of which depends the probable welfare and happiness, or the certain misery of so many millions of the descendants of Africa; and the decision of which must greatly affect, if not entirely determine, the character and duration of the American republic, demands the most serious attention and the most dispassionate and candid discussion."

The report then goes on to demand the restriction of slavery in Missouri.

Mass meetings were held in all the important cities of the North to protest against the further extension of slavery. There were usually speeches from leading citizens on the question, and then a set of resolutions expressing the sentiments of the people present would be proposed and adopted. The resolutions generally condemned slavery, asserted the power and duty of the national government to prevent its spread, and called on the northern congressmen to stand firm. It will be better, however, to let the people speak for themselves.

On October 29, 1819, a mass meeting was held at the State-house in Trenton, New Jersey. After addresses and discussion, a series of resolutions was adopted, among them the following:

"*Resolved*, That in the opinion of this meeting the permission of slaves in the *new* states admitted into the Union, has a direct tendency to perpetuate slavery in these United States, by extending the sphere of its influence and action; to increase its danger by spreading that species of population over the land; and to promote and encourage the importation of slaves by providing an extensive and growing market for them, in which the demand and competition for the purchase of them will be such as so greatly to enhance their price, that evil and avaricious men will be tempted to run all hazards of the violation of our laws, by the prospect of the enormous gains of this horrible traffic.

"*Resolved*, That in the opinion of this meeting the prohibition of slaves in the new states, coming into the Union,

is not forbidden by any article of the Constitution of the United States; but is in full accordance with the principles of the Constitution, and imperiously demanded by the honor and interests of the country."

On November 23, 1819, citizens of Philadelphia met in mass meeting in the same room in which the Declaration of Independence was signed, and after a discussion on the Missouri question the following resolution was adopted:

"*Resolved*, That in the opinion of this meeting it will be inconsistent in principle, unwise in policy and ungenerous in power, to allow states hereafter to be created members of the American Union to establish or tolerate slavery within their jurisdiction, and that every lawful means should be employed to prevent so great a moral and political transgression."

This meeting also arranged for a committee of correspondence to keep up the agitation. Sub-committees were appointed by this main committee, and the same plan was adopted in other places.

Mass meetings in New York, Boston and other cities of the free states passed resolutions of similar import, and the agitation in opposition to slavery seems to have crossed into the border slave states. The following quotation is from *Niles' Register* of January, 1820:

"*Missouri question.* A public meeting of the citizens of Baltimore was held at the court house on Tuesday evening last, the mayor of the city in the chair, at which, after a lively debate, it was resolved as the opinion of the meeting

that the future admission of slaves into the states which may hereafter be formed west of the Mississippi, ought to be prohibited by Congress."

The same paper, *Niles' Register*, of January 22, 1820, contains the following:

"A very large meeting of the people of New Castle county was held at Wilmington, Del., on the 15th instant, Judge Booth in the chair, whereat sundry resolutions were unanimously passed, showing the opinion of the meeting, that it was constitutional and highly expedient to prohibit the further extension of slavery. C. A. Rodney, Esq., was among the speakers in favor of the resolutions."

Not all the meetings held to protest against the admission of Missouri as a slave state seem to have been orderly. To quote again from *Niles' Register*, February 26, 1820:

"*Disgraceful.* On Thursday night, the 17th inst., a mob collected at Hartford, Conn., and burnt Mr. Lanman, a Senator from that state, in effigy, on account of his vote on the Missouri subject. A transparency was displayed, bearing the words in large letters, "Lanman and Slavery."

The southern people seem to have made no effort to influence the action of Congress by mass meetings, but if we may judge from the tone of their speakers in Congress, and from the stand taken by their newspapers, we must admit that they were alive to the situation.

The question was taken up by the state legislatures, and from them came resolutions, and requests, and instructions to Senators and Representatives in

Congress. The northern legislatures were against the admission of Missouri with slavery, and were joined in their protest by the legislature of Delaware; the legislatures of the slave states, with the exception of Delaware, so far as reported, took the opposite view.

The legislature of Pennsylvania passed the following resolution, preceded by a strong argument against slavery:

"*Resolved, by the Senate and House of Representatives of the Commonwealth of Pennsylvania*, That the Senators and Representatives of this state, in the Congress of the United States, be, and are hereby requested to vote against the admission of any territory as a state into the Union, unless the further introduction of slavery or involuntary servitude, except for the punishment of crimes, whereof the party shall have been duly convicted, shall be prohibited, and all children born within the said territory, after its admission into the Union as a state, shall be free, but may be held to service until the age of twenty-five years."

The Ohio legislature spoke as follows:

"Whereas, the existence of slavery in our country has ever been deemed a great moral and political evil, and its tendency directly calculated to impair our national character, and materially affecting our national happiness, and inasmuch as the extension of a slave population in the United States is fraught with the most fearful consequences to the permanency and durability of our republican institutions; and whereas, the subject of the admission of slavery in the new state of Missouri is at this time before the Congress of the United States: Therefore,

"*Resolved, by the General Assembly of the State of Ohio,* That our Senators and Representatives in Congress be requested to use their zealous endeavors to prevent the adoption of so odious and so dangerous a measure."

The resolutions from other northern legislatures were similar to the two given. The southern states seem to have contented themselves with arguing the constitutionality of the question; they did not venture to assert that slavery was a good thing, or that it would be good policy to extend it. Kentucky asserted:

"Whereas, the Constitution of the United States provides for the admission of new states into the Union, and it is just and proper that all such states should be established upon the footing of original states, both with a view to the preservation to state sovereignty, the prosperity of such new states and the good of their citizens; and whereas successful attempts have been heretofore made and are now making to prevent the people of the territory of Missouri from being admitted into the Union as a state unless trammeled by rules and regulations which do not exist, particularly in relation to the toleration of slavery, whilst a more liberal and magnanimous policy has been voluntarily extended to other territories.

* * * * * Therefore,

"*Resolved, by the General Assembly of the Commonwealth of Kentucky,* that the Senators in Congress from this state be instructed, and the Representatives be requested, to use their best efforts to procure the passage of a law to admit the people of Missouri into the Union as a state, whether those people will sanction slavery by their constitution or not."

The legislature of Virginia issued a long address, concluding as follows:

"Entertaining these views of the obligations of the treaty, the principles of the Constitution, and the character of the proposed measure — believing that the adoption of this measure would be an act of oppression to the people of Missouri, a breach of the public faith, and a dangerous infraction of the Constitution — believing, moreover, that it is eminently calculated to blow the angriest passions, to excite bitterness, jealousy and distrust among the states, to extinguish that spirit of concession, and destroy that mutual forbearance and fraternal affection which founded and have sustained our confederacy ; sincerely attached to the Union of these states and the Constitution which binds them together, and anxious to avert the evils which threaten — the general assembly has felt itself imperiously called upon to avow its opinions and endeavor to give them effect. Therefore,

"*Resolved*, That in the opinion of the general assembly of Virginia, the people of Missouri have a right to demand upon the faith of the treaty of 1803, that they shall be admitted into the Union, upon terms of equality with the other states.

"That the Congress of the United States have no right to impose upon the people of Missouri, as a condition of their admission into the Union, the restriction which has been proposed in Congress, or any other restriction not necessary to guarantee a republican form of government."

These brief quotations may serve to give some idea of the wide-spread interest aroused in the country while the question was before Congress. The earnest discussion that must have taken place

in the homes, on the streets, and at impromptu gatherings everywhere, must be left to the imagination. Nor did the final disposal of the question by Congress meet with universal approval at first. Mr. McMaster says, "As the news of the passage of the Missouri bill swept over the northern states, the first feeling of grief and disappointment gave way to outbursts of rage." The excitement, however, seems to have had but a short existence after the compromise was finally effected. Mr. Blaine says, "With the settlement of the Missouri question, the anti-slavery agitation subsided as rapidly as it had risen." Indeed, it subsided so rapidly and so completely that it was quite natural everyone should consider the question settled "forever." Only when the same agitation reappeared in connection with later slavery topics did the conviction spread that no lasting peace could be had so long as the dread evil was permitted to continue.

HISTORICAL SIGNIFICANCE.

The Missouri struggle holds a place of importance among the topics which go to make up the first century of our national history. Not even the most casual student can fail to notice that the struggle for the restriction of slavery on the one hand, and for its extension on the other, furnishes the chief material for our political conflicts during that period;

the struggle over Missouri brought out nearly every point touched on in the later contests. As Dr. Woodburn puts it:

"The struggle for the restriction of African slavery in the United States is the central theme in American political history during the nineteenth century. That struggle suggests to the student of American politics a long series of contests culminating in one of the greatest civil wars in human history. For more than a generation all other subjects in our congressional history had sunk into a place of secondary or temporary importance; this, amid events of varying moment, held first rank until it passed for settlement from the forum to the field.

"The struggle over the admission of Missouri into the Union involves the merits of the whole controversy."

A struggle of such magnitude involves many points of great significance, only a few of which can be mentioned here. First, it is interesting to notice that at the time of this struggle there seemed to be no denial of the constitutional power of Congress over slavery in territories. That part of the compromise forbidding slavery north of 36° 30′ is evidence that the majority of both Houses of Congress believed that this power was constitutional. The opposition to this restriction seems to have come from those who opposed it on grounds of expediency alone. When the compromise measures came before President Monroe, he asked the opinion of his cabinet on several points; one was, whether Congress had a constitutional right to prohibit slavery in a territory.

In answer to this the cabinet gave a unanimous opinion that Congress had the power in question. Thus we are safe in saying that at this time there was little or no idea that the Constitution of itself made slavery legal in public territories. It is well to emphasize this point, so we shall be able to appreciate more fully the great change in the position of the supporters of slavery when they began to act on the doctrine laid down by Chief Justice Taney in the Dred Scott decision.

The next point of historical importance is the bearing on the question of the constitutional power of Congress to require conditions or promises of new states on entering the Union. Here there is still difference of opinions. As was indicated in the discussion of the arguments in Congress, the opponents of the constitutionality of such power seem to have had the best of this part of the battle. The attempt to condition Missouri was given up, and no further attempts seem to have been made to impose conditions on states entering, till the period of the civil war. Since then, however, this has been the common practice. The question of the constitutionality of such action by Congress has never come before the Supreme Court for decision. Many writers hold that such restrictions as that proposed for Missouri are perfectly constitutional, and the question still remains undecided.

Next comes the interesting question of the rela-

tion of this struggle to the belief of the South in the strict construction theory of the Constitution, or going a step farther, in state sovereignty. It is an old question as to whether slavery or state rights (more properly state sovereignty) caused the civil war. The fact that the doctrine was held by those states which also held slaves, makes one suspicious that the one was a cause of the other; and thoughtful consideration of the different struggles arising from slavery strengthens the suspicion into conviction.

We have seen that the proposal to restrict slavery in Missouri at once alarmed southern Congressmen; and the readiest weapon they found to repel what they considered an attack on their section, was the argument that the Constitution gave no power for such action to Congress. This, as we have also seen, saved Missouri to slavery, and it was but natural that the southern men should cling to a construction which seemed so suited to their interests. In fact, they not only held the ground they had taken, but advanced to the still more narrow construction that Congress had no power to prohibit slavery in the territories.

The Missouri struggle, then, may be said to have hurried the South along the road which later led to their belief in secession as a lawful remedy for injuries supposed to come from the national government.

Going a step farther we notice that the Missouri struggle revealed the existence of pretty well defined

sectional parties. As already stated the votes and debates showed an almost solid North against a solid South on the question of slavery. If further proof of this sectional division were needed it could be found in the fact that of the northern representatives who voted for the admission of Missouri with slavery, but three were ever returned to Congress; the people felt they had been false to their section and so refused to re-elect them. Mr. Blaine says: "The Missouri question marked a distinct era in the political thought of the country, and made a profound impression on the minds of patriotic men. Suddenly, without warning, the North and the South, the free states and the slave states, found themselves arrayed against each other in violent and absorbing conflict."

There was unmistakably a North and a South; the North was stronger in numbers but less likely to act together than the South. The slave interest was close to the every day life of every southern man, but it needed a vivid imagination for the northern man to keep up his zeal as a foe to that system. It was this startling fact of a North arrayed against a South that drew from Jefferson the words: "This momentous question, like a fire-bell in the night, awakened and filled me with terror. I considered it at once as the knell of the Union."

But the Missouri struggle not only revealed the division between the North and the South; it also

helped to widen the gulf between them. Laying down a definite line between free soil and slave soil had the effect of making real and vivid the division to every citizen north and south. Jefferson realized this also, and said: "The coincidence of a marked principle, moral and political, with geographical lines, once conceived, I feared would never more be obliterated from the mind; that it would be recurring on every occasion and renewing irritations, until it would kindle such mutual and mortal hatred as to render separation preferable to eternal discord. I have been among the most sanguine in believing that our Union would be of long duration. I now doubt it much." In commenting on this statement of Jefferson's, Dr. Von Holst adds: "Each of the two groups inevitably constantly consolidated more and more; and the more they consolidated the more the Missouri line lost its imaginary character. For the first time there was, in the full sense of the term, a free North and a slave-holding South. * * * From the night of March 2, 1820, party history is made up, without interruption or break, of the development of geographical parties."

Finally comes the question as to which party gained the victory in this first conflict between the forces of restriction and extension. Of course from a purely moral standpoint there should have been no compromise with the slave power. But we must not forget that the statesmen of 1820 found themselves

in charge of a nation part free and part slave, the two sections of which were struggling for the control of its future. This division into free and slave states had existed at the time of the adoption of the Constitution, and the southern men cannot be blamed for looking after what they thought to be their best interests. It is hard to see how the northern congressmen could be blamed for recognizing that the South had good grounds to expect a share of the new territory. And surely, if the necessity for a compromise be granted, all must admit that the North secured the advantage. All the vast portion of the Louisiana purchase lying north and west of Missouri, from which have been formed the States of Iowa, the Dakotas and Nebraska, and the greater portion of Minnesota, Montana, Wyoming, Colorado and Kansas, besides small parts of Oklahoma and Indian Territories, was set apart as free soil; to slavery was left, after Missouri's admission, only what now composes Arkansas, and the larger portions of Oklahoma and Indian Territories. It was not the terms of this compromise that finally furnished grounds for the stand of the North that led to southern secession, but the fact that its terms were set aside and the whole public domain claimed for slavery.

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